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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,687

09/25/2003

Kenji Samoto

117213

4431

25944

7590

08/28/2006

OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER

LEE, JINHEE J

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/669,687		SAMOTO, KENJI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Jinhee J. Lee		2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) 9-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Election/Restrictions***

1. This application contains claims 9-15 drawn to an invention nonelected with traverse in Paper No. 0106. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP'21949 (JP-U-6-21949).

Re claim 1, JP'21949 discloses a flexible cable harness, comprising: a plurality of flexible cables (13, 15, 17 for example) , each having a first end connected to a first object (11 for example) and a second end connected to a second object (5 for example) , at least one of the plurality of flexible cables contributing to an electrical connection between the first object and the second object, each of the plurality of flexible cables comprising: a curved portion that curves between the first end and the second end; a first positioning system (unnumbered on the cables at 29 for example) provided near the first end in the curved portion; and a second positioning system (unnumbered on the cables at 21,23 for example) provided near the second end in the curved portion,

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wherein a distance from the first positioning system to the second positioning system is different in each of the plurality of flexible cables such that more inward flexible cables located at the curved portion are shorter in distance between the first positioning system and the second positioning system, the first positioning system of each of the plurality of flexible cables is fixed to a first positioning part (29 for example) provided on or near the first object, the second positioning system of each of the plurality of flexible cables is fixed to a second positioning part (21, 23 for example) provided on or near the second object, and each of the plurality of flexible cables are spaced in the curved portion (see figure 1). JP'21949 does not explicitly disclose that the first positioning system and the second positioning system were added. It would have been obvious to one having ordinary skill in the art at the time the invention was made to add the first and second positioning system, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Re claim 2, note that JP'21949 discloses a flexible cable harness, wherein the first object is a fixed member, the second object is a movable member, the first positioning system of each of the plurality of flexible cables is fixed to the first positioning part provided fixedly with the fixed member, and the second positioning system of each of the plurality of flexible cables is provided on or near the movable member and fixed to the second positioning part movable with the movable member (see figure 1).

Re claim 3, note that JP'21949 discloses a flexible cable harness, wherein the distance from the first positioning system to the second positioning system is set in each of the plurality of flexible cables such that a curvature radius of the curved portion is reduced by a specified amount as the flexible cables are located more inward at the curved portion (see figure 1 for example) .

Re claim 4, note that JP'21949 discloses a flexible cable harness, wherein the first positioning system and the second positioning system are integral with each of the plurality of flexible cables (see figure 1).

Re claim 5, JP'21949 discloses a flexible cable harness except wherein the first positioning system and the second positioning system are separate pieces and added to each of the plurality of flexible cables. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first positioning system and the second positioning system that are separate pieces and added to each of the plurality of flexible cables to add ability to remove from each other, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Re claim 6, note that JP'21949 discloses a flexible cable harness, wherein the flexible cables are set in position by engagement of the first positioning system with the first engagement part and the second positioning system with the second engagement part (see figure 1 for example) .

Re claim 19, JP'21949 discloses a flexible cable harness, comprising: a plurality of flexible cables, each having a first end connected to a first object and a second end

connected to a moveable second object, at least one of the plurality of flexible cables (13 for example) contributing to an electrical connection between the first object and the second object, each of the plurality of flexible cables comprising: a curved portion that curves between the first end and the second end; a first positioning system provided near the first end in the curved portion; and a second positioning system provided near the second end in the curved portion, wherein the first positioning system of each of the plurality of flexible cables is fixed to a first positioning part provided on or near the first object, the second positioning system of each of the plurality of flexible cables is fixed to a second positioning part provided on or near the second object, and the second positioning part is provided with a guide portion (29 for example) that guides the flexible cable harness extending from the first positioning part therein invariably at a specified angle relative to a direction perpendicular to a travel direction of the second object (see figure 1 for example). JP'21949 does not explicitly disclose that the first positioning system and the second positioning system were added. It would have been obvious to one having ordinary skill in the art at the time the invention was made to add the first and second positioning system, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Re claim 20, note that JP'21949 discloses a flexible cable harness, wherein a distance from the first positioning system to the second positioning system is different in each of the plurality of flexible cables such that more inward flexible cables located at the curved portion are shorter in distance between the first positioning system and the

second positioning system and each of the plurality of flexible cables are spaced in the curved portion (see figure 1 for example).

3. Claim 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP'21949 in view of Serizawa et al.(US006257898B1).

Re claim 7, JP'21949 substantially discloses a flexible cable harness except, wherein each of the first positioning system and the second positioning system is provided on a shorter side of each of the plurality of flexible cables, and includes a hole provided beyond a width of each of the plurality of flexible cables, the hole is engaged with a corresponding protrusion provided on each of the first positioning part and the second positioning part in order to set the cables in place. However, Serizawa et al. teaches of a harness wherein the positioning system and positioning system is provided on a shorter side (inner side) of each of the plurality of flexible cables, and includes a hole (25 for example) provided beyond a width of each of the flexible cables, the hole is engaged with a corresponding protrusion (27 for example) provided on each a positioning part (see figure 1A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the hole provided beyond a width of each of the flexible cables, the hole that is engaged with a corresponding protrusion provided of Serizawa et al. on each of the first positioning system and the second positioning system, including on each of the first positioning part and the second positioning part of JP'21949 in order to provide strong hold on the cables.

Re claim 8, JP'21949 substantially discloses a flexible cable harness except, wherein each of the first positioning system and the second positioning system include

two holes spaced from each other and each of the first positioning part and the second positioning part includes two protrusions corresponding to the two holes. However, Serizawa et al. teaches of a harness wherein each positioning system include two holes spaced from each other and a positioning part includes two protrusions corresponding to the two holes (see figure 1A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the holes provided beyond a width of each of the flexible cables, the holes that are engaged with corresponding protrusions provided of Serizawa et al. on each of the first positioning system and the second positioning system, including on each of the first positioning part and the second positioning part of JP'21949 in order to provide strong hold on the cables.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-15, 19 and 20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the



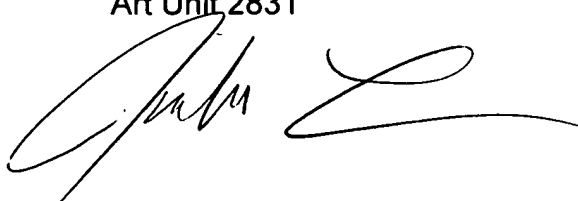
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M, T, Th and F at 6:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinhee J Lee  
Primary Examiner  
Art Unit 2831

A handwritten signature in black ink, appearing to read 'Jinhee J. Lee', is written over the printed name and title.